



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Cedar City Field Office
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5/001/062



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APR 27 2005

DIV. OF OIL, GAS & MINING

In Reply Refer To:
UT-042
3809: UTU-81475

April 25, 2005

Mr. Sandy Nell
13171 S 3300 W
Riverton, UT 84065

Dear Mr. Nell:

I am writing in regard to the plan of operations amendment you submitted under the 43 CFR 3809 surface management regulations to this office on March 16, 2005. The plan amendment expands upon the operations area for your previously authorized plan of operations for the Mickey Kaolin Mine (BLM file UTU-81475, DOGM File S/001/062).

The plan amendment proposes adding two transfer areas and re-routing a section of existing County-maintained access road. The proposed transfer areas fall within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 35, T. 29 S., R. 16 W. (transfer area 1), and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 7 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 18, T. 30 S., R. 12 W. (transfer area 2), both in Beaver County. The proposed new road section falls within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 35, T. 29 S., R. 16 W., and the NE $\frac{1}{4}$ sec. 2, T. 30 S., R. 16 W. Beaver County, Utah. The transfer areas will together add about 2 acres of disturbance to the project area. The re-routed road section, being about $\frac{1}{4}$ mile long, will replace an existing road section, which will be simultaneously reclaimed. The transfer areas are located on BLM-managed land and the re-routed road section is located on BLM and SITLA-managed land. The transfer areas would be utilized throughout the active mine operations.

The plan amendment submitted for this proposal has been found adequate to address the regulatory requirements of 43 CFR 3809.401. No special stipulations or mitigation measures were identified through the environmental assessment prepared for the BLM portions of the plan amendment. No public comments or inquiries on the amendment were received. Based on the potential environmental impacts identified in the environmental assessment, BLM has determined that the plan amendment will not have a significant effect on the human environment and an environmental impact statement will not be required for the BLM-managed lands impacted by the amendment. A decision has been issued to approve the plan amendment regarding the BLM-managed lands impacted by the amendment.

Any authorizations necessary to conduct disturbances on the SITLA-managed lands within the proposal must be obtained directly through SITLA. ***Our approval of the plan does not give you authorization to begin operations on the ground until you have received written approval from the Division of Oil, Gas, and Minerals and have posted the necessary reclamation bond.***

The plan amendment increases the estimated total disturbances of the Mickey Project to 5.0 acres which will necessitate you posting a reclamation bond in the amount of \$17,000 to secure 3rd party reclamation of the authorized plan disturbances. The \$17,000 bond amount must be provided to either the BLM Utah State Office or the Division prior to initiating operations under the plan. To the extent that they do not contradict any specific requirements in the plan, the attached standard operating practices and reclamation standards will apply to the plan. *Any changes from the plan must receive prior authorization through this office and any increases in the plan area will require adjustments to the bond amount.*

If you have any questions, feel free to contact me at (435) 865-3040.

Sincerely,



Ed Ginouves
Mining Engineer

Enclosures: CCFO Standard Operating Practices and Reclamation Standards
cc: Mr. Tom Munson, DOGM
Opie Abeyta, BLM Utah State Office

RECLAMATION STANDARDS
for
Exploration/Mining Activities, BLM Cedar City Field Office

1. At the earliest feasible time, the operator will reclaim the area disturbed, except to the extent necessary to preserve evidence of mineralization. Reclamation will include reasonable measures to prevent or control onsite and offsite damage of public lands.
2. Reclamation will include but not be limited to:
 - a. Saving topsoil (top 3 to 6 inches) for final application after reshaping of disturbed areas.
 - b. Controlling erosion, landslides, and water runoff.
 - c. Isolating, removing, or controlling toxic materials.
 - d. Reshaping disturbed areas, applying topsoil, and revegetating where reasonably practicable.
 - e. Controlling noxious weeds invading the site.
 - f. Rehabilitating fisheries and wildlife habitat.
3. Access roads, unless otherwise approved by the authorized officer, will be closed by reshaping the disturbed area to near original contours, scarifying where compaction prevents seed covering, and revegetating with the mixture specified below. Water bars will be placed on steep inclines and access blocked to future vehicular traffic.
4. Unless otherwise approved in the acceptance of the notice, all high walls or material piles will be recontoured to slopes not steeper than 3:1 and revegetated using the recommended mixture.
5. Authorized pits with high walls in excess of 4 feet will be fenced or barricaded to protect unsuspecting public land users from injury. All shafts and adits will be covered or blocked to prevent unauthorized or accidental entry.
6. Seeding of disturbed areas will be done between September 30 and December 15. Seed should not be placed on top of deep snow. Seed beds will be prepared to a depth of 6 inches by ripping, discing, or harrowing. Seed will be planted with a rangeland or farm drill or broadcast seeded. If broadcast seeded, the seed will be harrowed or raked $\frac{1}{4}$ to $\frac{1}{2}$ inch into the soil. The seed amount described below will be doubled if the area is broadcast seeded. The recommended seed mixture to be used on all disturbed areas if applied by a drill includes:

Blue-bunch wheatgrass	2 lb / acre
Indian ricegrass (var. Nezpar)	1 lb / acre
Smooth brome grass	1 lb / acre
Pubescent wheatgrass	1 lb / acre
Small Burnet	1 lb / acre
Fourwing saltbush	$\frac{1}{2}$ lb / acre
Bitterbrush	$\frac{1}{2}$ lb / acre
Lewis Flax	$\frac{1}{2}$ lb / acre
Palmer Penstemon	$\frac{1}{2}$ lb / acre
7. All hazardous tailing dumps, materials or substances produced by the operation will be disposed of in accordance with applicable federal and state laws. All waste, debris, buildings, and materials will be removed from the site and deposited at appropriate waste facilities.
8. All dry drill holes will be plugged with uncontaminated native material to a depth of 5 feet. The top 5 feet will be plugged with cement. Drill holes which encounter water will also be cemented from at least 50 feet below to 50 feet above the saturated zone. The location, depth, and relative flow rate of any subsurface water encountered will be reported to the authorized officer.
9. Additional reclamation requirements may be needed on a case-by-case basis. These additional requirements will be issued by the authorized officer after consultation with the operator.
10. The authorized officer will be notified within 10 days of final reclamation.

STANDARD OPERATING PROCEDURES
for
Exploration/Mining Activities, BLM Cedar City Field Office

1. Existing road access will be used whenever possible. Access will be planned for the minimum width needed for operations and will not exceed 16 feet in width. Roads will follow natural contours where practicable to minimize the need for cut and fill. The cuts from construction or improvement of access will be less than 3 feet on the inside edge. The authorized officer will be notified of any exceptions before construction begins.
2. Disturbance of existing vegetation will be held to the minimum necessary for the operation. Large vegetation such as pinion and juniper trees will be avoided whenever possible.
3. If cultural resources are encountered, including all historic or prehistoric artifacts or structures, the operator will immediately suspend operations and report the findings to the BLM field office. It is the responsibility of the operator to ensure there is no removal or destruction of historic and prehistoric remains on public lands.
4. If an endangered species is encountered, the operator will avoid the species and immediately inform the BLM field office. Wild horses, wildlife and livestock will not be harassed.
5. All sites will be kept in a safe, clean, and environmentally stable condition. Any hazardous materials used in the operation must be pre-approved by BLM personnel and kept in approved safe containers. The BLM field office will be immediately notified of any spills or accidents involving hazardous materials.
6. Water from stock-water reservoirs, springs, and wells will not be used for operations unless prior approval has been granted by the individual or agency responsible for the water rights of the source.
7. All official survey monuments, witness corners, reference monuments, bearing trees, etc., will be protected against destruction, obliteration or damage. Current mining claim markers will also be protected. When mining or exploration activities are concluded, the operator will remove all operation survey markers, stakes, flagging, etc., which are not needed for ongoing activities.
8. Wet roads should be avoided when ruts of two inches or deeper will result from road use. The operator will be responsible for reconditioning public roads used under these conditions.